

**THIS DOCUMENT SHALL BE SUBMITTED TO THE DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR REVIEW AND APPROVAL PRIOR TO RECORDING.**

TERMINATION OF DEED NOTICE  
FILED AT THE OFFICE OF THE REGISTER OF [county] COUNTY  
IN DEED BOOK [volume], Pages [pages]

AS TO

BLOCK(S) \_\_\_\_\_, LOT(S) \_\_\_\_\_, TAX MAP OF THE [county] County  
*[example with multiple blocks/lots-- block 1 lots 1 and 2 and also block 2 lots 3, 4 and 5 would be represented as blocks 1; 2 lots 1 and 2; 3, 4 and 5]*

IN ACCORDANCE WITH N.J.S.A. 58:10B-13, THIS DOCUMENT IS TO BE RECORDED IN THE SAME MANNER AS DEEDS AND OTHER INTERESTS IN REAL PROPERTY.

Prepared by: \_\_\_\_\_

Recorded by: \_\_\_\_\_  
[Signature, Officer of County Recording Office]  
[Print name below signature]

This Termination of Deed Notice is made as of [ month day, year ] by [name of property owner], and approved by the New Jersey Department of Environmental Protection.

**1. DEED NOTICE RECORDED IN THE OFFICE OF THE REGISTER OF [county] COUNTY, AT BOOK [book number/vol.], PAGES [page numbers].** By way of a Declaration of Environmental Restriction (DER) or Deed Notice (Deed Notice) dated [month day, year], [name of the original responsible party(s) that filed the DER or Deed Notice] advised of: (a) the existence of soil contamination in concentrations at the real property situated in the [city/town/borough name] and designated as Block(s) [see example above for multiples], Lot(s) [see example above for multiples] ("the Property") on the Tax Map of [city/town/borough name] that do not allow for the unrestricted use of the Property; (b) the existence of institutional and/or engineering controls selected as part of the remedial action for the Property; and (c) the continuing obligation of [name of original responsible party(s) that filed the DER or Deed Notice], subsequent owners, and others to monitor and maintain those institutional and/or engineering controls. The Deed Notice was part of the remedial action the New Jersey Department of Environmental Protection ("Department") approved for the Property and was recorded in the Office of the Register of [county] County on [ month day, year ] in Deed Book [book number/volume], Pages [page numbers] by [name of original responsible party(s) that filed the DER or Deed Notice], the then owner of the Property. Pursuant to Paragraph 10, the Deed Notice was to remain in effect until such time as the Department approved the termination of the Deed Notice by executing a document expressly terminating the Deed Notice.

**2. TRANSFER OF THE PROPERTY.** By Deed dated [month day, year] and recorded in the Office of the Register of [county] County on [month day, year] in Book [book number/vol], Pages [page numbers], [name of person appearing on deed] transferred ownership of Block(s) \_\_\_\_\_, Lot(s) \_\_\_\_\_ subject to the Deed Notice.

**3. TERMINATION OF DEED NOTICE RECORDED IN THE OFFICE OF THE REGISTER OF [county] COUNTY AT BOOK \_\_\_\_\_, PAGES \_\_\_\_\_ AS TO BLOCK(S) \_\_\_\_\_, LOT(S) \_\_\_\_\_.** By way of letter dated [month day, year], [name of person/corporation etc.] requested approval from the Department to terminate the Deed Notice because conditions that required the execution and recording of the Deed Notice no longer exist on Block(s) \_\_\_\_\_, Lot(s) \_\_\_\_\_. The Department approved the request by way of letter dated [month day, year]. Accordingly, the Department hereby executes this Termination of Deed Notice. Subject to the provisions of paragraph 5 below, the Department directs that the Deed Notice recorded in the Office of the Register of [county] County in Deed Book \_\_\_\_\_, Pages \_\_\_\_\_ shall be terminated and discharged. A metes and bounds description of Block(s) \_\_\_\_\_, Lot(s) \_\_\_\_\_ and a scaled map showing the boundaries of Block(s) \_\_\_\_\_, Lot(s) \_\_\_\_\_ are attached hereto as Exhibits A and B, respectively.

**4. EXECUTION OF NEW DEED NOTICE FOR BLOCK(S) \_\_\_\_\_, LOT(S) \_\_\_\_\_.** Although the Department has determined that a change in conditions warrants the termination of the Deed Notice as to Block(s) \_\_\_\_\_, Lot(s) \_\_\_\_\_, the Department also has determined that soil contamination remains on Block(s) \_\_\_\_\_, Lot(s) \_\_\_\_\_, in concentrations that do not allow for the unrestricted use of the Property. Thus, the Department has approved a remedy that includes a new Deed Notice for Block(s) \_\_\_\_\_, Lot(s) \_\_\_\_\_. The new Deed Notice shall be executed and recorded by [name of person or corporation etc. filing new Deed Notice].

**5. EFFECTIVE DATE OF TERMINATION OF DEED NOTICE.** This Termination of Deed Notice shall take effect on the date this Termination of Deed Notice or the date the new Deed Notice for Block(s) \_\_\_\_\_, Lot(s) \_\_\_\_\_ is recorded in the Office of the Register of [county], whichever is later, or, if this Termination of Deed Notice and the new Deed Notice are simultaneously recorded in the Office of the Register of [county], on the date of such simultaneous recording.

***[Note: The language of the following two (2) consecutive paragraphs shall be substituted for the language of paragraphs 3 and 4 above where the subject property is proposed to be subdivided]***

**{Appropriate consecutive paragraph number}. TERMINATION OF DEED NOTICE RECORDED IN THE OFFICE OF THE REGISTER OF \_\_\_\_\_ AT BOOK \_\_\_\_\_, PAGE \_\_\_\_\_ AS TO BLOCK(S) \_\_\_\_\_, LOT(S) \_\_\_\_\_.** By way of letter dated \_\_\_\_\_, [name of person/corporation etc.] requested approval from the Department to terminate the Deed Notice as to Block(s) \_\_\_\_\_, Lot(s) \_\_\_\_\_ because Block(s) \_\_\_\_\_, Lot(s) \_\_\_\_\_, has been subdivided from the Property, and the conditions that required the execution and recording of the Deed Notice no longer exist on Block(s) \_\_\_\_\_, Lot(s) \_\_\_\_\_.

. The Department approved the request by way of letter dated \_\_\_\_\_. Accordingly, the Department hereby executes this Termination of Deed Notice. Subject to the provisions of paragraph 5 below, the Department directs that the Deed Notice recorded in the Office of the Register of \_\_\_\_\_ in Deed Book \_\_\_\_\_, Page \_\_\_\_\_ shall be terminated and discharged as it applies to Block(s) \_\_\_\_\_ Lot(s) \_\_\_\_\_. Such termination, however, is limited to Block(s)\_\_\_\_\_, Lot(s) \_\_\_\_\_, and the Deed Notice remains in full force and effect as to such other portions of the Property for which the Department has not approved termination of the Deed Notice . A metes and bounds description of Block(s) \_\_\_\_\_, Lot(s) \_\_\_\_\_ and a scaled map showing the boundaries of Block(s) \_\_\_\_\_, Lot(s) \_\_\_\_\_ are attached hereto as Exhibits A and B, respectively.

**{Appropriate consecutive paragraph number}. EXECUTION OF NEW DEED NOTICE FOR BLOCK(S) \_\_\_\_\_, LOT(S) \_\_\_\_\_.** Although the Department has determined that a change in conditions warrants the termination of the Deed Notice as to Block(s) \_\_\_\_\_, Lot(s) \_\_\_\_\_, the Department also has determined that soil contamination remains on Block(s) \_\_\_\_\_, Lot(s) \_\_\_\_\_, in concentrations that do not allow for the unrestricted use of the Property. Thus, the Department has approved a remedy that includes a new Deed Notice for Block(s) \_\_\_\_\_, Lot(s) \_\_\_\_\_. The new Deed Notice shall be executed and recorded by

*[Note: The language of the following paragraph shall be substituted for that of paragraph number 5 above where no new Deed Notice would be filed for the subject property]*

**{Appropriate consecutive paragraph number}. EFFECTIVE DATE OF TERMINATION OF DEED NOTICE.** This Termination of Deed Notice shall take effect on the date this Termination of Deed Notice is recorded in the Office of the Register of [county].

*[Note: The following paragraph is required for all versions of this form]*

**{Appropriate consecutive paragraph number}. SIGNATURES IN WITNESS WHEREOF, [name of person/corporation etc. executing the Termination of Deed Notice]** and the New Jersey Department of Environmental Protection have executed this Termination of Deed Notice, as of the date first written above.

A. *[If Owner is an individual]*

WITNESS:

\_\_\_\_\_  
*[Signature]*  
\_\_\_\_\_  
*[Print name]*

\_\_\_\_\_  
*[Signature]*  
\_\_\_\_\_  
*[Print name]*

STATE OF *[State where document is executed]* SS.:  
COUNTY OF *[County where document is executed]*

I certify that on *[month day, year]*, *[name of owner]* personally came before me, and this person acknowledged under oath, to my satisfaction, that this person [or if more than one, each person]

- (a) is named in and personally signed this document; and
- (b) signed, sealed and delivered this document as his or her act and deed.

\_\_\_\_\_, Notary Public  
*[Signature]*  
\_\_\_\_\_  
*[Print name]*

B. [If owner is a corporation]

WITNESS:

[Name of corporation]

\_\_\_\_\_  
[Signature]

By: \_\_\_\_\_  
[Signature]

\_\_\_\_\_  
[Print name and title]

\_\_\_\_\_  
[Print name]

\_\_\_\_\_  
[Print title]

STATE OF [State where document is executed] SS.:

COUNTY OF [County where document is executed]

I certify that on [month day, year], [name of witness] personally came before me, and this person acknowledged under oath, to my satisfaction, that:

(a) this person is the [secretary/assistant secretary] of [name of corporate owner], the corporation named in this document;

(b) this person is the attesting witness to the signing of this document by the proper corporate officer who is the [president/vice president] of the corporation;

(c) this document was signed and delivered by the corporation as its voluntary act and was duly authorized;

(d) this person knows the proper seal of the corporation which was affixed to this document; and

(e) this person signed this proof to attest to the truth of these facts.

\_\_\_\_\_  
[Signature]

\_\_\_\_\_  
[Print Name and Title of Attesting Witness]

\_\_\_\_\_, Notary Public  
[Signature]

\_\_\_\_\_  
[Print Name]

C. [If owner is a general or limited partnership]

WITNESS: [name of partnership]

_____	By: _____, General Partner
[Signature]	[Signature]
_____	_____
[Print name and title]	[Print name]

STATE OF [State where document is executed] SS.:  
COUNTY OF [County where document is executed]

I certify that on [month day, year], [name of person executing document on behalf of owner partnership] personally came before me, and this person acknowledged under oath, to my satisfaction, that this person:

(a) is a general partner of [name of partnership owner], the partnership named in this document;

(b) signed, sealed and delivered this document as his or her act and deed in his capacity as a general partner of [name of partnership owner]; and

(c) this document was signed and delivered by such partnership as its voluntary act, duly authorized.

\_\_\_\_\_, Notary Public  
[Signature]  
\_\_\_\_\_  
[Print name]

D. *[If Owner is a Limited Liability Company]*

WITNESS:

*[Name of Limited Liability Company]*

\_\_\_\_\_  
*[Signature]*

\_\_\_\_\_  
*[Print name and title of witness]*

By: \_\_\_\_\_

*[Signature]*

\_\_\_\_\_  
*[Print name and title]*

STATE OF *[State where document is executed]* SS.:

COUNTY OF *[County where document is executed]*

I certify that on *[month day, year]*, *[Name of Witness]* personally came before me, and this person acknowledged under oath, to my satisfaction, that:

(a) This person is the *[insert either secretary/assistant secretary of the owner limited liability company]* of *[insert full name of limited liability company]*;

(b) This person is the attesting witness to the signing of this document by the proper officer who is the *[insert title of person signing on behalf of limited liability company]* of the *[insert name of owner limited liability company]*;

(c) This document was signed and delivered by the limited liability company as its voluntary act and was duly authorized;

(d) This person knows the proper seal of the limited liability company which was affixed to this document; and

(e) This person signed this proof to attest to the truth of these facts.

\_\_\_\_\_  
*[Signature]*

\_\_\_\_\_  
*[Print Name and Title of Attesting Witness]*

\_\_\_\_\_, Notary Public

*[Signature]*

\_\_\_\_\_  
*[Print name]*

*[Note: In situations where the person signing the document on behalf of the owner limited liability company is a member of the*

limited liability company, the attesting witness shall certify under oath that he/she knows that the document was signed and delivered by the owner limited liability company as its voluntary act, that the member is authorized to execute the document on behalf of the owner limited liability company, and that the person signing the document is authorized to sign the document on behalf of the member. Where the member is a partnership, corporation or other limited liability company, the attesting witness shall also certify that the person signing the document is authorized to sign on behalf of the corporation, partnership or limited liability company, as the case may be. To the extent that such corporation, partnership, or limited liability company, in turn, is directly or indirectly controlled by another corporation, limited liability company, or partnership, and the person signing the document is an officer of that corporation or limited liability company or a partner of that partnership, the attesting witness shall also certify under oath that such person is authorized to sign on behalf of the corporation, limited liability company, or partnership, as the case may be.]

WITNESS:

New Jersey Department of Environmental  
Protection

\_\_\_\_\_  
[Signature]

By: \_\_\_\_\_  
[Signature]

\_\_\_\_\_  
[Print name and title]

\_\_\_\_\_  
[Print name and title]

STATE OF NEW JERSEY      SS.:  
COUNTY OF MERCER

I certify that on [Month day, year], [Insert name of person executing document on behalf of the New Jersey Department Environmental Protection] personally came before me, and this person acknowledged under oath, to my satisfaction, that this person:

(a) Is [insert title] and is authorized to execute this document on behalf of the New Jersey Department of Environmental Protection;

(b) Signed, sealed and delivered this document as his or her act and deed in his capacity as [title] of the New Jersey Department of Environmental Protection; and

(c) This document was signed and delivered by the New Jersey Department of Environmental Protection as its voluntary act, duly authorized.



\_\_\_\_\_, Notary Public  
[Signature]

\_\_\_\_\_  
[Print name]

**RECORD AND RETURN TO:**

[Name of person who prepared the Termination of Deed Notice]  
[Address]

EXHIBIT A

Metes and Bounds Description

## EXHIBIT B

Scaled Tax Map of the Property and Institutional/Engineering Control Boundaries